

FIRST REGULAR SESSION

SENATE BILL NO. 502

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHMITT.

Read 1st time February 24, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2304S.011

AN ACT

To repeal section 167.765, RSMo, and to enact in lieu thereof one new section relating to brain injuries or concussions occurring from youth sports.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 167.765, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 167.765, to read as follows:

167.765. 1. The provisions of this section shall be known as the
2 "Interscholastic Youth Sports Brain Injury Prevention Act". No later than
3 December 31, 2011, the department of health and senior services shall work with
4 a statewide association of school boards, a statewide activities association that
5 provides oversight for athletic or activity eligibility for students and school
6 districts, and an organization named by the department of health and senior
7 services that specializes in support services, education, and advocacy of those
8 with brain injuries to promulgate rules which develop guidelines, pertinent
9 information, and forms to educate coaches, youth athletes, and parents or
10 guardians of youth athletes of the nature and risk of concussion and brain injury
11 including continuing to play after concussion or brain injury. The primary focus
12 of rules promulgated under this section shall be the safety and protection against
13 long-term injury to the youth athlete.

14 2. On a yearly basis, each school district shall distribute a concussion and
15 brain injury information sheet to each youth athlete participating in the district's
16 athletic program. The information form shall be signed by the youth athlete's
17 parent or guardian and submitted to the school district prior to the youth
18 athlete's participation in any athletic practice or competition.

19 3. A youth athlete who is suspected of sustaining a concussion or brain
20 injury in a practice or game, **as determined by an objective test or**

21 **measure**, shall be removed from competition at that time and for no less than
22 twenty-four hours.

23 4. A youth athlete who has been removed from play shall not return to
24 competition until the athlete is evaluated by a licensed health care provider
25 trained in the evaluation and management of concussions as defined in the
26 guidelines developed under subsection 1 of this section and receives written
27 clearance to return to competition from that health care provider.

28 5. Any rule or portion of a rule, as that term is defined in section 536.010,
29 that is created under the authority delegated in this section shall become effective
30 only if it complies with and is subject to all of the provisions of chapter 536 and,
31 if applicable, section 536.028. This section and chapter 536 are nonseverable and
32 if any of the powers vested with the general assembly pursuant to chapter 536 to
33 review, to delay the effective date, or to disapprove and annul a rule are
34 subsequently held unconstitutional, then the grant of rulemaking authority and
35 any rule proposed or adopted after August 28, 2011, shall be invalid and void.

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Bill

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